

human rights abusers in the Russian federation.”

Section 228 mandates the imposition of sanctions on any company that conducts any “significant transactions,” including “deceptive transactions,” for Russian companies that are already sanctioned.

There is no doubt—zero—that the company Nord Stream 2 AG, which is the company responsible for the planning, the construction, and the eventual operation of Putin’s Nord Stream 2 Pipeline, has committed acts that require the implementation and the imposition of those mandated sanctions under CAATSA 228.

Indeed, that is one of the many reasons the pipeline was halted for a year, and Putin only began building it again on January 24 of this year—4 days after Joe Biden was sworn in. Because Joe Biden has been so weak on this issue, because the pipeline exists only as a gift from Biden to Putin, this pipeline is, in a very real sense, the Biden-Putin pipeline.

We know that the Biden administration is defying the law, because the Biden administration told us so in May. The Biden administration sent a report to Congress describing how Nord Stream 2 AG had conducted deceptive transactions for sanctioned Russian companies. That is the explicit trigger in CAATSA for sanctions, and yet the Biden administration has refused to meet its obligations under CAATSA, and that leads to the reasonable compromise that I have offered.

For several months, I have had in place a hold on all State Department nominees and on several Treasury Department nominees as well. The reason for the hold has been simple—because Joe Biden is defying the law and is giving Vladimir Putin a multibillion-dollar gift that constitutes a generational geopolitical blunder that puts billions of dollars into the Russian coffers every year that Putin will use for military aggression against America and our allies. Biden’s surrender to Putin weakens Europe profoundly. It makes Europe dependent on Russia even more so for energy and subject to Russia’s energy blackmail. And it also, on top of that, destroys jobs here in the United States.

For months, I have had in place the blanket hold that has caused increasing cries of pain and dismay from our Democratic colleagues. Interestingly, these same Democratic colleagues all agree that what Biden is doing with the Biden-Putin pipeline is terrible. Almost to a person, the Democrats who are complaining about this have denounced Joe Biden for giving Putin this multibillion-dollar gift, but they say they want to confirm his nominees anyway.

So what I have said is: All right. Fine. If the Biden administration wants to defy the sanctions law that I drafted—the Cruz-Shaheen sanctions law, it is two different bills that I drafted with Senator SHAHEEN, Demo-

crat from New Hampshire. We passed into law, overwhelming bipartisan support from both Houses of Congress. If Joe Biden wants to ignore those laws, then there is another avenue to resolve much of this dispute, which is simply to follow the law under CAATSA.

So I extended an offer to Secretary Blinken, to Secretary Yellen, to the White House that I would lift my holds on every career State nominee and on the Treasury nominees where I placed holds in exchange for one of two things: No. 1, the best outcome would be for the Biden administration to actually implement CAATSA and sanction Nord Stream 2 AG, to follow the law, to do what is mandatory.

That would be the best outcome. If they did so, I would immediately lift my holds.

But, secondly, I get that the White House politically has decided they want to surrender to Putin on this. My understanding is there is an inter-agency process—the State Department argued to do the right thing. The State Department argued: Impose the sanctions on Nord Stream 2 AG, stop this pipeline, which, by the way, is what Tony Blinken sat in my office and promised State would do. It is what just about every senior nominee to the State Department has promised they would do.

State argued to do the right thing, but according to public reports, the political operatives at the White House overruled their own State Department. They said: Never mind the national security interests of the United States. Never mind protecting America. Never mind stopping Putin and Russia. Never mind protecting Europe’s energy security. Never mind protecting Europe from blackmail by Putin. We want to surrender because Angela Merkel wants us to.

I talked last week about how a friend of mine jokes that the White House political team sleeps with votive candles of Angela Merkel under their beds. There is a view in the White House that what Merkel wants, Merkel gets, even if it is bad for America, bad for Germany, bad for Europe, but good for Russia.

Of course, Merkel is on her way out now, but they still want to do this surrender. And this surrender, by the way, if it is completed, will hurt America for generations to come—10 years, 20 years, 30 years from now.

The next Russian dictator will be enriched by Joe Biden’s surrender to Putin on the Biden-Putin pipeline.

The two options: First, after imposing sanctions, they could leave them in place. But, secondly, recognizing that they don’t want to do it, there is a second option I gave them, which is that they could impose sanctions under CAATSA, but then they could delist Nord Stream 2 AG.

In other words, they could exercise the political decision not to impose the sanctions. That gives them their policy—preferred policy outcome.

What it also does under CAATSA is it triggers an automatic congressional override vote.

So I told Secretary Blinken, I told Secretary Yellen: It is very easy. If you believe in this foolhardy policy of surrendering to Putin, then put your money where your mouth is. Follow the law, which is clear, unequivocal, black letter law. Impose the sanctions. And you do have a vehicle. You can delist it. The President can make a determination that even though the sanctions are mandatory, he wants to delist it.

But here is what Congress did. In CAATSA, it triggered an automatic congressional override vote. And what I have told the administration is: You know what. Whether I win or lose that override vote, if you actually follow the law in such a way that it triggers that vote, I will lift my holds—my holds on the career State nominees, my holds on the Treasury nominees. You have a path. Simply subject yourself to congressional oversight.

Now, it is very clear why they haven’t taken this offer, which has been in writing for months now. Because Joe Biden thinks if we had a vote in this Senate, he would lose. He thinks if we had a vote in the House, he would lose. He knows that Republicans would vote against him.

And if Democrats had a modicum of consistency, virtually every Democrat in this Chamber and the House has been unequivocal that the Nord Stream 2 Pipeline is devastating to U.S. national security. And so the Biden White House doesn’t want to risk members of his own party voting against his surrender to Russia. So, instead, they defy the law. That is an irresponsible course of action.

There is a very reasonable compromise on the table, and all of the perils the Democrats are lamenting about these holds can be avoided if, if, if Joe Biden will simply follow the law, follow CAATSA. The mandatory sanctions that Democrats explained were designed to prevent a President from doing what Joe Biden is doing right now, which is surrendering to Russia. There is a reasonable compromise on the table. All that is required is for Joe Biden to take it.

I yield the floor.

VOTE ON NOMINATION OF KAREN ERIKA DONFRIED

The PRESIDING OFFICER. Under the previous order, the question is, Will the Senate advise and consent to the Donfried nomination?

Mr. CRUZ. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. FEINSTEIN) is necessarily absent.

The result was announced—yeas 73, nays 26, as follows:

[Rollcall Vote No. 386 Ex.]

YEAS—73

Baldwin	Grassley	Reed
Barrasso	Hassan	Risch
Bennet	Heinrich	Romney
Blackburn	Hickenlooper	Rosen
Blumenthal	Hirono	Rounds
Blunt	Hoeven	Sanders
Booker	Johnson	Schatz
Brown	Kaine	Schumer
Burr	Kelly	Scott (SC)
Cantwell	King	Shaheen
Capito	Klobuchar	Sinema
Cardin	Leahy	Smith
Carper	Lujan	Stabenow
Casey	Manchin	Tester
Collins	Markey	Tillis
Coons	McConnell	Toomey
Cornyn	Menendez	Van Hollen
Cortez Masto	Merkley	Warner
Cramer	Murkowski	Warnock
Crapo	Murphy	Warren
Duckworth	Murray	Whitehouse
Durbin	Ossoff	Wyden
Fischer	Padilla	Young
Gillibrand	Peters	
Graham	Portman	

NAYS—26

Boozman	Hyde-Smith	Rubio
Braun	Inhofe	Sasse
Cassidy	Kennedy	Scott (FL)
Cotton	Lankford	Shelby
Cruz	Lee	Sullivan
Daines	Lummis	Thune
Ernst	Marshall	Tuberville
Hagerty	Moran	Wicker
Hawley	Paul	

NOT VOTING—1

Feinstein

The nomination was confirmed.

The PRESIDING OFFICER (Mr. LUJÁN). Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The bill clerk read the nomination of Monica P. Medina, of Maryland, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:27 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. OSOFF).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Connecticut.

AFGHANISTAN

Mr. MURPHY. Mr. President, I come to the floor to offer some brief remarks today in the wake of the Armed Services Committee hearing today on the evacuation of Afghanistan and the end to U.S. troop presence there. I watched it with some interest. I watched it knowing that three out of four Americans support President Biden's decision to bring U.S. troops home from Afghanistan.

We learned some new things today in the hearing. Others were confirmed. First, we learned, once again, of the extraordinary bravery and capability of our diplomats and our soldiers, who worked under incredibly difficult conditions for a period of weeks to airlift almost 130,000 individuals out of Afghanistan. That is absolutely remarkable, especially given, as we heard today in testimony, that the goal at the outset, in the best case scenario, was to get 60 to 70 to 80,000 people out. In the end, the United States of America, our military and our diplomats, got 130,000 people out.

We heard, also, about the impossible position that President Biden inherited; that there was a commitment made to withdraw American troops by President Trump but no plan with which to do it safely. We heard about how the Doha agreement decreased the readiness of the Afghan forces, how it weakened their position internally.

We heard about the choice that faced President Biden when he came into office. We heard about the fact that, had we chosen to stay, we would have had to surge troops; that the Taliban, having gotten to the precipice of provincial capitals, would have engaged in a level of urban warfare that would have required the United States to increase our troop presence there in order to be able to stand up an effective resistance to the Taliban.

To the extent that Republicans view this as a political game and they were looking for points to be scored today, I guess the one point they feel they scored was an admission by the generals who testified that some of them had recommended staying in Afghanistan.

Now, I have tremendous respect for our generals. I think they get it right more than they get it wrong. They provide very able advice to the Commander in Chief. But for 20 years, in Afghanistan, our generals recommended staying, in the face of mounting evidence, year after year, that it was going to be impossible to be able to stand up an Afghan military that could protect the country and an Afghan Government that could govern the country. Our generals recommended staying—year after year after year, month after month after month—despite the fact that many analysts told us that as soon as we left and the Taliban took over, the Afghan Government and the military would fall.

Now, they did it because our military is bred to believe that anything is possible. It speaks, in some part, to the best of American military ethos, the idea that there is no obstacle that cannot be surmounted, that cannot be climbed by U.S. forces. But the task they were given by President after President was one that could not be carried out.

And to simply believe that because the general said “stay another year” or “stay another 5 years,” this Com-

mander in Chief should have listened, despite the fact that it had been proven that the mission that we were given in that country was impossible, is to compound a mistake—an unnecessary mistake—that the United States engaged in for far, far too long.

And so my hope is that moving forward, this Congress and this Senate are going to engage in real oversight. There is no doubt the evacuation could have been done better. There is no doubt that, in a mission this complicated, the Biden team would have done things differently. But the real question is, Why did we stay in Afghanistan for 10 years too long? Why did we keep believing that we could train-up a military that would be capable of defending the country?

It is time that we have a deep inquiry in this Senate about the limits of American military power overseas and how badly misresourced we are when we spend 10 to 20 times as much money on military power as we do on other means of projecting American power.

It is also important for us to understand the cost of getting bogged down in places like Afghanistan and Iraq. It is not a coincidence that shortly after withdrawing from Afghanistan, we were able to announce this new partnership with Australia and Britain to better protect our mutual interests in the Pacific theater.

It is because, when the entirety of the U.S. defense and foreign policy infrastructure is so trained on unwinnable contests in far off places like Afghanistan, it doesn't allow us the capacity and the creativity to be able to design new systems and new structures with which to protect the country.

China celebrated every single year that we remain bogged down in Afghanistan. Russia celebrated every single year that we doubled down on that mistake. Now we have the ability to turn our attention to fights that truly matter.

We learned some things in the Armed Services Committee today. I think what we learned confirms that the decision that President Biden made to pull our troops out was the right one. It is a decision supported by the American people because it allows this country, finally, to focus on fights that are winnable in reality, not just on paper.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

If no one yields time, the time will be charged equally to both sides.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT REQUEST—S. 2868

Mr. SCHUMER. Mr. President, last night, Senate Republicans voted unanimously to make a default and a shutdown far more likely and in doing so, solidified themselves as the party of default, the party that says America does not pay its debts.

Now, despite yesterday's stunning display of obstruction, the fact remains